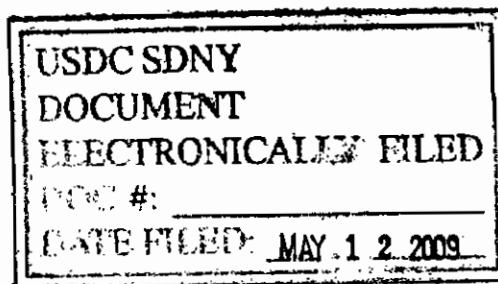


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
MEYER MINTZ and MEIR SPEAR,

Plaintiffs,

-v-

No. 05 Civ. 4904 (LTS)(HBP)

RONALD BARON et al.,

Defendants,

BARON GROWTH FUND, and BARON
SMALL CAP FUND,

Nominal Defendants.
-----X

ORDER

On March 20, 2009, the Court dismissed Plaintiffs' Amended Complaint without prejudice and with leave to replead, and ordered that in the absence of a filing of a Second Amended Complaint or an affidavit attesting to the service of a demand by April 9, 2009, the action would be dismissed in its entirety, with prejudice and without further advance notice. No such submission has been received to date. Accordingly, the action is dismissed with prejudice in its entirety. The Clerk of Court is respectfully requested to enter judgment in favor of Defendants and close this case.

SO ORDERED.

Dated: New York, New York
May 11, 2009



LAURA TAYLOR SWAIN
United States District Judge